

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide limited government – The bill abolishes a government oversight authority and restores responsibility to local school districts.

B. EFFECT OF PROPOSED CHANGES:

The 2001 Legislature enacted s. 1013.512, F.S., which prescribes the processes for establishing a Land Acquisition and Facilities Advisory Board (the Board) and outlines the duties of the Board. A Board was charged with:

- Reviewing operational processes related to land acquisition and facilities,
- Reporting any deficiencies to the Commissioner of Education, and
- Assisting with the correction of the deficiencies.

If a board is convened, appropriations to a school district for the purpose of site acquisition and facilities planning are held in reserve until the Board certifies that such expenditures are consistent with their recommendations.

The bill repeals the section of law authorizing the appointment and providing the duties of Land Acquisition and Facilities Advisory Boards. As a result, no such boards may be appointed in the future. Only one board has been established since 2001, and it oversees the Miami-Dade County Public School land acquisition and facilities procedures. The Miami-Dade Land Acquisition and Facilities Maintenance Operations Advisory Board has certified the compliance of Miami-Dade County Public Schools with four of five recommendations and has excused compliance with the fifth recommendation.¹

With the repeal of the authorizing statute, this existing board would be disbanded, and any future funds for facilities and land acquisition will be disbursed directly to the Miami-Dade Public Schools and no longer held in reserve.

The Legislature, through proviso in the 2001-02, 2002-03, and 2003-04 General Appropriations Acts, required the Governor's Office to reserve construction funds allocated to Miami-Dade Public Schools. The funds held in reserve from the 2001-02 and 2002-03 fiscal years were released pursuant to Advisory Board certification. Funds placed in reserve from 2003-2004 in the amount of \$8.5 million remain in reserve. The bill requires that the funds from 2003-04 remaining in reserve must be released on July 1, 2005.

C. SECTION DIRECTORY:

Section 1: Repeals s. 1013.512, F.S., relating to Land Acquisition and Facilities Advisory Boards.

Section 2: Requires the release of specified funds remaining in reserve on July 1, 2005.

Section 3: Provides that the bill takes effect upon becoming a law.

¹ Letter from John Winn, Commissioner of Education, to Edward Easton, Chair of the Miami-Dade Land Acquisition and Facilities Maintenance Operations Advisory Board, February 10, 2005.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

This bill does not appear to have a fiscal impact on state government revenues.

2. Expenditures:

This bill does not appear to have a fiscal impact on state government expenditures.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

This bill does not appear to have a fiscal impact on local government revenues.

2. Expenditures:

This bill does not appear to have a fiscal impact on local government expenditures.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

This bill does not appear to have a direct economic impact on the private sector.

D. FISCAL COMMENTS:

The bill requires that the funds remaining on reserve from the 2003-2004 fiscal year² be released on July 1, 2005.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not require a city or county to spend funds or to take any action requiring the expenditure of funds.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES

This analysis is drawn to the Committee Substitute that was adopted at the April 12, 2005, meeting of the PreK-12 Committee. The Committee Substitute differs from the bill as filed in that the Committee Substitute:

- Adds the requirement that specified funds remaining in reserve be released on July 1, 2005.

² Chapter 2003-397, L.O.F., Specific Appropriation 12B